

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

vs.

**TEAM RESOURCES, INC.,
FOSSIL ENERGY CORPORATION,
KEVIN A. BOYLES,
PHILIP A. DRESSNER,
MICHAEL EPPY,
ANDREW STITT, AND
JOHN OLIVIA,**

Defendants.

**CIVIL ACTION NO.:
3:15-CV-1045-N**

ORDER

Before the Court is Plaintiff's Motion for Default Judgment Against Defendant Andrew Stitt. The Court, having considered all of the pleadings and evidence in the record, is of the opinion that Plaintiff's Motion should be GRANTED.

The Court makes the following findings of fact and conclusions of law:

1. The Commission's Complaint was filed on April 6, 2015.
2. The Complaint and Summons were properly served under the Federal Rules of Civil Procedure and by serving Defendant in compliance with this Court's Order Granting Motion to Authorize Alternative Service of Process [Dkt. 27] with publications in The Gleaner, the Jamaican Observer, and the International New York Times running for four (4) consecutive weeks with the last date of publication occurring on February 18, 2016.

3. Stitt is not an infant or an incompetent person, nor is he currently serving in the United States military. Stitt is not eligible for relief under the Soldiers' and Sailors' Civil Relief Act of 1940 [50 U.S.C. Appendix, § 501 *et seq.*].


4. Stitt has not filed an answer to the SEC's Complaint or other required pleading, nor has he taken any action indicating an intent to defend this suit.

5. The United States District Clerk entered a default against Stitt on May 25, 2016. Dkt. 30.

6. The SEC is entitled to entry of a Final Judgment against Stitt permanently enjoining him from Sections 5(a), 5(c) and 17(a) of the Securities Act [15 U.S.C. §§ 77e(a), 77e(c) and 77q(a)], and Sections 10(b) and 15(a) of the Exchange Act [15 U.S.C. § 78j(b) and 78o(a)] and Rule 10b-5 thereunder [17 C.F.R. § 240.10b-5]. The SEC is also entitled to disgorgement of \$214,371.00, prejudgment interest of \$40,165.98, and a civil penalty of \$214,371.00.

7. On the basis of the foregoing findings of fact and conclusions of law, the court **grants** Plaintiff's Motion for Default Judgment as to Defendant Stitt. The court will enter a Final Judgment by separate document pursuant to Rule 58 of the Federal Rules of Civil Procedure.

SIGNED August 18, 2016.


DAVID C. GODBEY
UNITED STATES DISTRICT JUDGE